

Entered -05-03-01 - sb
CL 01L0281 - GWENDOLYN BURNS

01- R -1041

CLAIM OF:

LEILA BATES WARD
2786 The Fontainebleau, SW
Atlanta, Georgia 30331

For property damages alleged to have been sustained from sewer back ups on March 20 an March29, 2001 at 2786 The Fontainebleau, SW.

THIS ADVERSED REPORT IS
APPROVED

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0281

Date: June 26, 2001

Claimant /Victim LEILA BATES WARD
BY: (Atty) (Ins. Co.)
Address: 2786 The Fontainebleau, SW, Atlanta, Georgia 30331
Subrogation: Claim for Property damage \$ 7,500.00 Bodily Injury \$
Date of Notice: 5/3/01 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 3/20/01 - 3/21/01 Place: 2786 The Fontainebleau, SW
Department PUBLIC WORKS Division Sewer Operations
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that she sustained damages to her home from two sewer back ups. However, an investigation determined that the back ups resulted from a broken manhole that is located in East Point and not the City of Atlanta. The claimant has been informed of same and her claim has been forwarded to the City of East Point for resolution.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police Dept Report X Other X
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental Ministerial
Improper Notice More than Six Months Other X Damages reasonable
City not involved X Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: Concur/date 00-2801
Committee Action: Council Action

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

BURNS
05/02/01
[Signature]

Today's Date: _____

Dear Municipal Clerk:

ENTERED - 5-3-01 - SB
01L0281 - GWEN BURNS

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ _____ property and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: 3/20/01 & 3/21/01 2. Time of Incident: approx 4pm 3. Police called: Fire dept.
(month/day/year) Yes No

4. Location of incident (including street address): 2786 The Fontainebleau Atlanta, Ga 30333

5. Name of your insurance company: State Farm Policy No. _____

6. State what and how incident occurred: Storm drain broke down causing water and sewer to come up in comode and Shower

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: _____
(Make) (Year) (Tag Number) (Driver's Name)
City vehicle: _____
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: _____
(Name) (Address) (Telephone Number)

10. The acknowledgement of this claim in no way waives the sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and / or its employee(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.
Leila Bates Ward
Signature of Claimant

Leila Bates Ward
(Print Claimant's Name)
2786 The Fontainebleau
(Address)
Atlanta, Ga. 30331
(City, State and Zip Code)
404-346-3607 - 404-349-8730
(Work Number) (Home Number)

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